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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q79566

Teiichiro UMEZAWA, et al.

Appln. No.: 10/762,574

Group Art Unit: 1773

Confirmation No.: 3033

Examiner: Kevin M. Bernatz

Filed: January 23, 2004

For: MAGNETIC DISK AND METHOD OF PRODUCING THE SAME

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction and Election of Species Requirement, dated March 21, 2005, Applicant elects Group I, claims 1-8 for examination.

The Examiner also has identified the application as containing claims directed to 2 distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes there are no generic claims. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicant elects Species ii for examination on which claims 1, 2 and 5-8 are readable.

Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

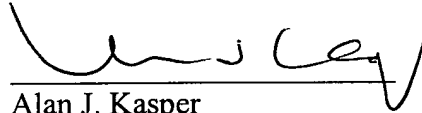
Applicant reserves the right under 35 U.S.C. § 121 to file a Divisional Application directed to the non-elected claims 3, 4, 9 and 10.

Response to Restriction and Election of Species Requirement  
Application No. 10/762,574

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: May 20, 2005